

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) **8:16CR254**
)
vs.)
)
WYATT LOPEZ,) **ORDER**
)
Defendant.)

This matter is before the court on the unopposed Motion to Continue Trial [22] and Amended Motion to Continue Trial [23]. Counsel needs additional time to prepare for trial. The defendant shall comply with NECrimR 12.1(a). For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [22] and [23] are granted, as follows:

1. The jury trial now set for October 18, 2016 is continued to **November 29, 2016**.
2. Defendant shall file the affidavit required by paragraph 9 of the progression order and NE.CrimR. 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and November 29, 2016**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED October 5, 2016.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge